TACKLING REVENGE PORN: MITIGATING DESTRUCTIVE BEHAVIORS AMONG MINORS THROUGH EDUCATION

By

Dominique Nichelle Spencer, B.A.

A Project Submitted in Partial Fulfillment of the Requirements

for the Degree of

Master of Art

in

Administration of Justice

University of Alaska Fairbanks

August 2019

APPROVED:

Frank Boldt, Committee Chair
J. Robert Duke, Committee Member
Frank Boldt, Committee Member
Mike Daku, Chair
Department of Justice

Table of Contents

Abstract 3

Introduction 4

Literature Review 6

Thesis Statement & Theory 24

Proposed Program/Project 25

Discussion 28

Proposed Budget 31

Limitations 33

Recommended Future Research 35

Conclusion 36

References 40

Appendix A (charts & graphs) 44

Abstract

Revenge porn is at the forefront of the American consciousness now more than ever before. The effects of revenge porn are long-lasting for both victims and perpetrators, yet efforts to address these behaviors remain highly unorganized. A combination of victim blaming, an inability to keep up with technology, and poor legislation have made the process of addressing revenge porn extremely challenging. Although anyone can become a victim of revenge porn, this report will focus on the group in our society which is the most susceptible to these risks and the least protected, minors and young adults. Furthermore, this report will delve into the social, psychological, financial, and legal ramifications of participating in revenge porn. Finally, this report will advocate for the implementation of comprehensive sex education programs in schools, because education is the only way to render the excuse of ignorance of the law invalid.

Tackling Revenge Porn:

Mitigating Destructive Behaviors Among Minors Through Education

Introduction

Imagine being part of a loving relationship that comes to an end, and rather than parting ways amicably your ex decides to share explicit images from your relationship with others via the internet. The betrayal of a loved one sharing private images is distressing, but the newfound awareness that countless others now know the most intimate parts of your body is perhaps even more unsettling. As technological advancements improve the efficiency of information sharing, the threat of becoming a victim of revenge porn is ever-present. Revenge porn is commonly understood to be the publication of explicit material portraying someone who has not consented for the image or video to be shared, and anyone can become a victim of the practice. Of course, the main question posed when discussing revenge porn is: "If you did not want it to be seen, then why did you share it?" And for many victims, the answer to that all-to-common question is: hindsight is twenty-twenty. More importantly, consent in the moment does not equate to consent in the future.

Revenge porn does not discriminate, and nothing drives home this point more than listening to the testimonies of victims and perpetrators alike. Try to imagine yourself in the position of Kara Jefts, an art historian and archivist at Chicago University who learned that her explicit images had been sent to her family and friends after she ended a long-distance relationship with a man in Italy (Alter, 2017). If you have trouble relating to Jefts' story, put yourself in the position of the 19-year old woman in Texas who was blackmailed into having sex with three other teens after her former partner threatened to release explicit images of her (Alter,

2017). Perhaps the story of the 19-year old is still too difficult to envision, so instead put yourself in the position of the Illinois school superintendent in her 50s who was fired after her ex-husband sent explicit images of her to the school board (Alter, 2017). Finally, imagine yourself as Tess, a 14-year-old girl who was hospitalized in an inpatient psychiatric unit after an acetaminophen overdose (Hua, 2012). At the time of her attempted suicide, Tess had a legal charge pending for theft of alcohol as well as a previous child pornography charge for posting the picture of a naked teen boy to her MySpace (Hua, 2012). When faced with the alcohol theft charge, Tess feared that the judge would be tougher on her due to her previous child pornography charge, and this fear influenced her decision to attempt suicide (Hua, 2012).

Although adults are the demographic most commonly associated with revenge porn, the percentages of minors engaging in sexting, cyberbullying, and revenge porn are substantial as well. A minor disseminating explicit images of another minor creates a high probability of child pornography charges being levied against the perpetrator. The act of distributing child pornography whether done out of malice or out of ignorance of the law has the potential to follow individuals for the rest of their lives. Navigating the nuances of the legal system is anything but simple, which is why providing education may prove to be the most effective tool to combat ignorance.

Some would argue that we are living in a time of hyper awareness to social issues concerning sexuality, freedom of expression, and political correctness. National efforts to address and determine the level of criminalization for revenge porn and cyberbullying have been largely disjointed and slow moving, but that does not mean the average citizen cannot contribute to finding a resolution to this issue. You may be asking yourself, “How do we solve the problem

of revenge porn?" and the honest answer to that is, we cannot solve the problem until we fully understand and acknowledge the factors behind it. It would be ill-advised to advocate for a strict nationwide crackdown on the distribution of explicit images without first conducting thorough research and reaching a consensus as to how incidents of revenge porn which involve minors should be addressed within the justice system. Fortunately, education provides us with an opportunity learn about the issues affecting our communities and it can allow us to begin a national discussion regarding the best methods to deter these behaviors, so that we may become proactive rather than reactive.

Literature Review

Sex Educations Falls Short

Comprehensive sex education programs have been difficult to establish because there has been a deliberate effort to keep minors misinformed, and that platform of miseducation has largely been supported by the government. The push for an abstinence-only approach to sex education in the mid-90s eventually led to the addition of a Title V block grant program within the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Doan & McFarlane, 2012). The creation of abstinence-only sex education strategy is often attributed to the Conservative Right and Evangelical Christians, who argue that comprehensive sex education undermines the authority of parents (Doan & McFarlane, 2012). At the base of the abstinence-only approach to sex education is the assertion that comprehensive sex education encourages adolescents to participate in premarital sex, which will increase the number of out-of-wedlock births and lead to higher poverty rates (Doan & McFarlane, 2012).

Upon the introduction of the Title V block grant program, California stood out as the only state to spurn the opportunity to receive supplementary federal funding in exchange for implementing abstinence-only sex education (Doan & McFarlane, 2012). By 2009 an additional 24 states had rejected Title V funding for abstinence-only sex education, citing contrasting goals between the program's intent and the ideologies of individual states (Doan & McFarlane, 2012). While all states seek federal funding to varying degrees, each type of intergovernmental revenue is not considered equal. Therefore, any grants which stand in contrast to the ideological orientation of the state will most likely not be accepted. In the period spanning 1997-2009 an estimated $2.2 billion in public funds were expended for the three main abstinence-only sex education programs in the country (Doan & McFarlane, 2012).

When taking into consideration the amount of money spent to facilitate the abstinence-only approach to sex education in America, one would expect results. Unfortunately for the individuals that spearheaded efforts to revitalize sex education by means of abstinence-only instruction, the 2007 Mathematica Study found that abstinence-only sex education was ineffective in delaying sexual initiation (Doan & McFarlane, 2012). Furthermore, the Mathematica Study also found no credible link to support the claim that abstinence-only education had done anything substantial to combat poverty rates (Doan & McFarlane, 2012). So, the question now becomes, "why do abstinence-only sex education programs continue to receive support if they are proven to be ineffective?"

Abstinence-only advocates have found success in the practice of framing the issue of teen sexuality as a battle between the secular expectation and the religious obligation (Gardner, 2011). Historically, the depiction of teens in television and movies as hormone-driven and

sex-crazed has been weaponized by the leaders of the abstinence-only sex education movement (Gardner, 2011). Throughout the mid-90s and early 2000s abstinence-only advocates issued a challenge to teens, and that challenge was to choose the path of purity in the face of temptation (Gardner, 2011). The strategy of daring teens to make their own "choices" by taking control their sexual urges was largely successful, particularly when the use of physical representations such as pearl necklaces, purity rings, and pledge cards were provided to the young men and women who accepted the chastity challenge (Gardner, 2011). Although the aforementioned physical representations were widely popular, it is important to bear in mind that the number of teens that actually adhered to the chastity challenge may have been inflated by a combination of peer pressure coupled with the desire to fit in.

Despite the apparent success of the abstinence-only movement in the mid-90s, the effectiveness of the abstinence-only approach to sex education has continuously been called into question due to the fact that the evidence used to legitimize its existence is either lacking or inaccurate (Gardner, 2011). Perhaps even more damning than the absence of substantiated evidence in support of abstinence-only sex education are the individual examples of hypocrisy between what is practiced and what is preached (Gardner, 2011). The pregnancy of Bristol Palin is often examined in regard to the hypocrisy between abstinence-only sex education, the Conservative Right, and teen pregnancy (Gardner, 2011). Irony is not lost on the fact that Sarah Palin, the former Governor of Alaska and 2008 vice presidential candidate, was against the instruction of comprehensive sex education in schools and had an unmarried pregnant teenage daughter at the height of her political career (Gardner, 2011).

The U.S. Department of Health and Human Services' Office of Adolescent Health has developed a list of 31 programs aimed at delaying sexual initiation and encouraging the use of contraceptives (Strasburger & Brown, 2014). Yet, despite the availability of free sex education resources, a survey of sexually experienced teens found that 46% of males and 33% of females reported that they had not received instruction about contraception prior to becoming sexually active (Strasburger & Brown, 2014). Furthermore, Oklahoma and Alabama have two of the highest rates of teen pregnancy in the US, yet both states do not require any form of sex education in school (Strasburger & Brown, 2014).

One of the most influential carryovers from the abstinence-only movement is the assertion that discussing a controversial topic with adolescents will inadvertently encourage them to participate in the behavior. The scope of risky behaviors which adolescents can engage in has changed dramatically since the mid-90s, and much of this change can be accredited to the fact that technology has become a permanent fixture in the daily lives of millions of Americans. The negative effects of minors participating in sexting and revenge porn can be profound and long lasting for both victims and perpetrators, yet one of the primary reasons social issues such as these fail to receive adequate attention in sex education courses throughout the U.S. is because they fall under the scope of morality politics (Doan & McFarlane, 2012). Morality politics are divisive in nature because the issues addressed are subject to individual interpretations of morals and values, and these interpretations most commonly favor Christian leanings (Doan & McFarlane, 2012).

There is no uniform set of moral guidelines which can be imposed upon a diverse population, and for that reason alone there is no one way to impartially administer what is

commonly referred to as "character education" (Dobson & Ringrose, 2016, p. 8). Character education is an ill-defined umbrella term which encompasses any attempt to educate young people so that they may become productive members of society (e.g. individuals with morals, values, and an understanding of their civic duties), and the definition for this term is purposefully vague (Dobson & Ringrose, 2016). Character education has no formalized definition, no standardized curriculum, and the topics discussed are left to the whims of the administrators and parents, many of whom do not care to discuss topics like sexting and revenge porn with adolescents. The assertion that character education will be sufficient in addressing the issue of minors participating in sexting and revenge porn is absurd, but for many schools in the country that is the long-held belief and strategy (Dobson & Ringrose, 2016).

While the issue of morality in comprehensive sex education will most likely continue to be contentious, it is troubling to think that the intentional miseducation of children has historically fallen in line with a religious and political agenda (Gardner, 2011; Doan & McFarlane, 2012). Purposely keeping adolescents from information which can impact their lives effectively robs them of their "choice". Keeping adolescents ignorant of the risks associated with certain behaviors is a great disservice, and the idea that allowing children to remain misinformed is necessary to maintaining their purity is laughable (Gardner, 2011). As a society, it is our duty to prepare and equip the future generations for the issues they will encounter, and that effort must begin during the most formative years of their lives.

Victim Shaming is a Hindrance to Change

The media perpetuates the popular narrative which paints young women and girls as active participants in their own victimization, and this belief is representative of the broader

social issue which concerns the unequal treatment and status of women in our society (Thiel-Stern, 2014). The blame-the-victim mentality reproduces the hegemonic discourse which links female sexuality to promiscuity (Thiel-Stern, 2014). Ask yourself, why do people continue to ask what a woman was wearing prior to a sexual assault taking place? While the reasonable answer to that question would be, "it does not matter what she was wearing", there is still a subsection of our society which views that question as reasonable and will attempt to use the woman's choice of clothing to justify the actions of the perpetrator.

In recent years a pattern of sexualizing adolescent girls while infantilizing young women in their twenties has emerged in the mainstream media, and this is just one of the many reasons that some women find it difficult to express themselves without fear of being either reprimanded or outright ignored (Thiel-Stern, 2014). Even in instances where a woman could have done nothing to alter the outcome of a situation, she may still face ridicule simply because our society reinforces the belief that bad things happen to bad people. Additionally, the "mean girl" archetype is commonly used to portray young girls as naturally ill-spirited and defiant to authority figures (Thiel-Stern, 2014). Serious acts such as bullying are often attributed to this overused mean girl caricature of adolescent girls, and this argument is a gross oversimplification of the issue (Thiel-Stern, 2014).

Bullying is not unique to adolescent girls, so the assertion that only mean girls participate in the practice is absurd. Millions of women around the world were once adolescent girls and never took part in the harassment of others, therefore the practice of bullying is not a phase but rather the harmful actions of a singular person. Furthermore, the decision to categorize bullying as a phase that adolescents eventually grow out of completely undermines the seriousness of the

practice, particularly for the victims. Perhaps even more disturbing than the acceptance of the mean girl archetype is the practice of characterizing young girls and women as either victims or vixens (Thiel-Stern, 2014). While people generally feel bad for victims, there is little sympathy felt for vixens who become victimized because in the eyes of many they were effectively "asking for it" by showcasing their wanton behavior (Shariff & DeMartini, 2015).

Although anyone can become a victim of revenge porn, there are gendered biases inherent to the practice which disproportionately affect women more than men (Fairbairn, 2015). These gendered biases manifest themselves not only in the professional and personal fallouts which result from revenge porn, but also in the criminal justice system's response or lack thereof to the plight of victims (Fairbairn, 2015). Studies suggest that while adolescent boys and girls are equally likely to participate in sexting, the potential consequences associated with the practice will most likely impact girls (Shariff & DeMartini, 2015). Ultimately, young girls are at a greater risk of being exposed, shamed, and castigated by both their male and female peers when engaging in risky behaviors (Shariff & DeMartini, 2015). In the same vein of the victim versus vixen comparison, there exists a gender dichotomy which is commonly referred to as the stud versus slut double standard (Fairbairn, 2015). The stud versus slut double standard reveals that women are not provided the same privileges as men with regards to the expression of sexuality, and this is evidenced by the prevalence of slut shaming in our society (Shariff & DeMartini, 2015).

In 2016, the University of Indiana surveyed nearly 6,000 single adults and found that 16% had sent explicit images of themselves to others (Alter, 2017). Of those surveyed, an estimated 20% admitted to receiving explicit images, and for those who received images a reported 23%

admitted to sharing those images without receiving consent from the original sender (Alter, 2017). Additionally, the survey found that men are twice as likely to share images than women (Alter, 2017). Although the term revenge porn evokes the image of a scorned lover sending out explicit photographs of a former partner, not all instances of revenge porn are committed for the purpose of humiliating the victim (Alter, 2017). Often times individuals share explicit images in an attempt to impress their peers and demonstrate their sexual prowess, but that does not make the practice excusable or any less damaging because the harm to the victim is still present (Alter, 2017).

Emerging research has found links between sexual violence and online spaces, and one of the largest contributors to this trend has been the increase in acts of cyberbullying and revenge porn (Fairbairn, 2015). In 2012, the issue of revenge porn gained national attention after Hunter Moore, the administrator of the website IsAnyoneUp.com was arrested. IsAnyoneUp.com encouraged its male users to share naked images of females along with personal information to include names, physical addresses, phone numbers, and links to social media profiles (Fairbairn, 2015). To say that the lives of thousands of women were damaged by the existence of Moore's website would be a gross understatement, which is why many were surprised to the learn that Moore's indictment made no mention of his hand in the dissemination of revenge porn and instead centered on email hacking, identity theft, and conspiracy charges (Fairbairn, 2015). The popularity of IsAnyoneUp.com and the harassment that women received after being exposed on the website was indicative of our society's tendency to blame-the-victim and slut shame rather than call out the misogyny.

Well-meaning statements such as “ignore it” and “just go offline” provide little to no peace of mind for victims, and instead these lackluster sentiments further undermine the severity of the sexual harassment and intimidation individuals may encounter on the internet (Fairbairn, 2015). Online harassment is an extension of broader social ills, to include misogyny, racism, homophobia, and other forms of widely-condemned discriminatory practices and beliefs (Fairbairn, 2015). Furthermore, the assertion that online harassment has no bearing on an individual’s “real life” is terribly naïve (Fairbairn, 2015). Victims of revenge porn have reported losing their jobs, being approached by strangers who have seen their explicit images, and the deterioration of close relationships with friends and family members (Fairbairn, 2015). The internet has become a permanent fixture in the daily lives of millions of Americans, so the idea that a person can avoid harassment by simply turning off their computer or that online activity has no effect on an individual’s real life is both extremely inaccurate and dismissive.

It is important to bear in mind that the lack of reporting does not mean a problem does not exist. Young people are less likely to report their victimization for fear of retaliation by the perpetrator(s) as well as potential punishment from parents and/or guardians (Shariff, and DeMartini, 2015). The act of distributing explicit images without consent it not a phenomenon unique to adolescents and young adults, and the practice of using an individual’s expression of sexuality to humiliate them has not only been viewed as acceptable by many in our society but profitable as well (e.g. revenge porn websites) (Shariff & DeMartini, 2015). Until our society takes an introspective look into the harm caused by victim blaming, slut shaming, and the general use of humiliation as a motivational tactic, we cannot hope to fully understand and address the issue of revenge porn.

Minors are more Technologically Savvy than Previous Generations, and Lawmakers Struggle to Keep Up

It should come as no surprise that the up-and-coming generations tend to be more technologically inclined than older generations. The technological savviness of teens manifests itself in not only computer literacy, but in the rapid adaptation to the use of new programs and applications as well. Additionally, data shows that a decline in the cost of hardware allows for a greater population to acquire access to devices which were previously viewed as exclusive (Osterday, 2016). Simply put, the common practice of upgrading technology forces tech companies to lower prices on previous models, thereby making the product more accessible to the masses (Osterday, 2016). A 2004 Pew Internet survey found that 18% of teens age 12 owned a cell phone, and by 2009 that number had risen to 58% (Lenhart, 2016). A recent Pew Research study also found that 93% of teens have access to a computer or tablet, and 25% of teens identify their cell phone as their primary tool for accessing the internet (Osterday, 2016). It would be a cumbersome undertaking to list the benefits of technological advancements over the last three decades, but we must also bear in mind that the increase of access to mobile technology and the internet has brought with it legal issues such as revenge porn, cyberbullying, unlawful surveillance, etc.

In recent years there has been significant pressure for legislators to create harsher laws to combat revenge porn and cyberbullying (Shariff & DeMartini, 2015). Yet surprisingly, one of the greatest obstacles in addressing the issue of revenge porn has been the First Amendment (Pollack, 2016). Some have argued that revenge porn is a form of protected speech, and therefore Congress cannot enforce any laws which place limitations or prohibitions on an

individual's freedom of expression (Pollack, 2016). Despite receiving backlash from those who believe revenge porn should be protected by the First Amendment, some states have taken steps to criminalize the practice (Pollack, 2016). Unfortunately, in drafting criminal revenge porn statutes, states have been exceedingly careful as to not impede upon the First Amendment, and as a result the language used in revenge porn legislation is often considered either too narrow or too broad to enforce (Pollack, 2016).

In Vermont, minors who produce, possess, and/or distribute sexually explicit images can be charged with a misdemeanor (Hasinoff, 2015). Interestingly enough, legislators in Vermont initially put forth a bill that would exempt teens from acquiring child pornography charges if they were found to possess explicit images of minors; however, the legislators eventually passed a law which criminalized sexting among minors after receiving immense pressure from constituents as well as unwanted national media attention (Hasinoff, 2015). The current sexting law in Vermont criminalizes the possession of "indecent" images of any person under the age of 18, and the vague language used in this particular law broadens the scope of materials that can be considered illegal (Hasinoff, 2015). While Vermont's law concerns itself with the possession of indecent images on an individual's mobile device(s), the courts have been hesitant to address the larger issue of imposing criminal sanctions upon revenge porn websites.

While the debate as to whether or not revenge porn falls into the category of protected speech will likely persist for years to come, the courts have been firm in their insistence that child pornography cannot be defended under the First Amendment (Pollack, 2016). In *New York v. Ferber*, the Court rationalized that the distribution of child pornography would effectively void First Amendment protections (Pollack, 2016). Victim advocates have often looked to the

New York v. Ferber ruling as the potential framework for revenge porn legislation and many have argued that the Ferber analysis to child pornography should be applied to the practice of revenge porn in its entirety (Pollack, 2016). With that being said, it is unlikely that the criminalization of revenge porn will pass constitutional muster under the Ferber analysis because revenge porn is fundamentally different from child pornography in the eyes of the law (Pollack, 2016).

In New York revenge porn has allowed offenders to circumvent established voyeurism, harassment, and hate crime laws (Pollack, 2016). Presently, one of the only courses of action for victims of revenge porn in New York may be the copyright infringement law (Pollack, 2016). Unfortunately for individuals pursuing the copyright infringement law as a means to halt the dissemination of their explicit images, this will require victims to pay the United States Copyright Office a $35-85 application fee as well as submit copies of the explicit material for inspection prior to approval, which ultimately forces the victim to further expose their own private images (Pollack, 2016). Additionally, any victim that allows their partner to take explicit recordings or photographs will not be able to copyright the material because they are not considered to be the author of the material, despite being the subject matter (Pollack, 2016).

Section 230 of the Communications Decency Act of 1996 (CDA) provides website operators with immunity from civil liability for content provided by third parties (Franklin, 2014). Revenge porn websites rely solely on their consumers to submit sexually explicit materials for their greater audience, and despite attempts by victims to sue for defamation, false information, explicit content including minors, etc., the protections provided under Section 230 have effectively kept many website operators from becoming litigants (Franklin, 2014). In order

for a victim of revenge porn to successfully file a lawsuit against a website operator, they would have to provide evidence that the operator of the website was responsible for the creation and/or development of illegal information, thereby making them ineligible for Section 230 immunity (Franklin, 2014). Suffice to say, the process of suing a website operator is an uphill battle, and the chances of the lawsuit being successful are slim. It is important to note that the individuals who submit sexually explicit images to revenge porn websites are not protected under Section 230, but victims may find it exceedingly difficult to prove the identity of the original poster (Franklin, 2014).

Despite qualifying for immunity under Section 230, social media operators have been rather proactive in addressing the issue of revenge porn, and many have acted to punish individuals who publish explicit content online. In 2015, both Twitter and Reddit officially banned revenge porn from their websites (Pollack, 2016). Unfortunately, revenge porn warnings issued by social media operators have done little to dissuade certain users from participating in the practice. For example, in January 2017 Facebook received over 51,000 revenge porn complaints, which eventually led to the disabling of nearly 14,000 user accounts (Alter, 2017). While it is reassuring to know that certain social media platforms are taking a stand against revenge porn, victims may feel little solace in knowing that in the time it takes to file a complaint and take down a user's page the damage is already done. Furthermore, bystanders can easily download or "screenshot" an image before a website operator removes it, and once an image has been saved it can easily be reposted on other forums.

Teens are the ideal demographic for popular cell phone applications like Snapchat, and in recent years Snapchat along with similar programs have become embroiled in the revenge porn

and child pornography debate. Snapchat allows users to take photographs and record videos which they can later send to recipients with a limited time to view (Sharif & DeMartini, 2015). Once the window to view an image has concluded, a recipient will not be able to relocate the original message or review the content. Although material sent on Snapchat is automatically deleted after being opened, a recipient can take a screenshot of the material which was meant to be privately communicated (Sharif & DeMartini, 2015). One of the greatest appeals of Snapchat was the auto-delete function, which is why many users felt comfortable sending explicit content through the application. Unfortunately for individuals who felt that sending private content over Snapchat was a safe alternative to sexting, many users were still able to find loopholes (e.g. screenshots) and capitalize on them.

As stated previously, mobile technology and the internet have become a daily fixture in the lives of minors in America. Despite their familiarity with technology, it is important that minors use caution when sharing information and interacting with others online. When comparing the legal statutes in New York and Vermont, it becomes apparent that revenge porn legislation is limited in many states, while child porn legislation is stringent across the board. For that reason, it is essential that the up-and-coming generations acknowledge the real-life implications of their online activities.

The Risks Associated with Minors Participating in Sexting and Revenge Porn can be Detrimental and Long-lasting

Individuals that choose to participate in the storage and/or exchange of sexually explicit material should be familiar with the associated risks. Present risks include but are not limited to the threat of cyber attacks (e.g. hacking), the increased likelihood of becoming a victim of

revenge porn, extortion, etc. That is not to say that individuals should not be permitted to engage in sexting, but rather individuals should remain cautious as well as knowledgeable about the legal statutes which can directly impact them. Sexting is commonly defined as the dissemination of sexually suggestive text messages and images (Thomas & Cauffman, 2014). A majority of adults that participate in sexting are aware of the associated risks, but nevertheless many still choose to engage in the practice. Conversely, the potential consequences for minors who participate in sexting may be lifelong and far more detrimental to their futures (Thomas & Cauffman, 2014).

Under current interpretations of the law, minors who engage in sexting may be charged with the possession of child pornography, which is a felony offense (Thomas & Cauffman, 2014). Depending on the state in which the offense takes place, some minors may also be required to register as sex offenders (Thomas & Cauffman, 2014). Registering as a sex offender brings with it lifelong restrictions on where an individual can live and work, and in certain jurisdictions an offender may be required to inform potential neighbors of their status (Thomas & Cauffman, 2014). Suffice to say, being labeled as a sex offender carries with it a lifelong stigma and has the potential to infiltrate nearly every facet of an individual's life. While many argue that sexting among minors is often misclassified as child pornography, it is important to bear in mind that most applicable laws concerning child pornography make no distinction between the creation, transmission, or possession of explicit materials among minors (Thomas & Cauffman, 2014).

At the time in which the majority of legislation concerning the sexual exploitation of children was drafted, the practice of sexting was an unforeseeable concern for lawmakers

(Thomas & Cauffman, 2014). High-profile cases in the 1980s and 90s like the kidnapping and murder of Adam Walsh, and the assault and murder of Megan Kanka led to the strengthening of child exploitation legislation in the U.S. (Thomas & Cauffman, 2014). Child pornography legislation was put in place to protect minors from sexual exploitation, and it is an absolute necessity. However, child pornography laws have remained largely untouched in recent years, and as a result minors who engage in sexting and revenge porn today are exposing themselves to risks that they may not fully understand (Thomas & Cauffman, 2014). Between 2000 and 2009, the arrest rates for the possession of child pornography nearly quadrupled, and youth-produced images were identified as the greatest contributor to that statistic (Walsh, Wells & Wolak, 2016). The number of arrests for youth-produced child pornography rose from 233 cases in 2006 to 1,198 cases in 2009 (Walsh, Wells & Wolak, 2016). Minors must remain cognizant of the fact that their decision to share explicit images of themselves and/or others may result in child pornography charges, despite the fact that adults who engage in the same behavior are generally protected under the First Amendment (Thomas & Cauffman, 2014).

In 2013, a Facebook page featuring explicit images of female students from Durfee High School came to light (Osterday, 2016). Some of the female students featured on the page were as young as sixteen years old, and the individual responsible for posting the images was a seventeen-year-old male (Osterday, 2016). Despite being a minor himself, the local prosecutor charged the young man with the dissemination of obscene material harmful to minors and the possession of child pornography (Osterday, 2016). If convicted of the child pornography charges, the young man would have to register as a sex offender and potentially serve a ten-year prison sentence (Osterday, 2016). There is no doubt that the boy in question acted in poor

judgement by creating the Facebook page and posting the explicit content, but the question as to whether or not he should be considered a sex offender created a divide within the quiet community in rural Massachusetts. In 2014, 17 states had established sexting-specific legislation for minors, while the remaining states continued to treat youth sexting in the same manner as child pornography (Thomas & Cauffman, 2014). By 2015, the number of states with sexting-specific legislation had increased to 20, but these incremental shifts do little to brighten the outlook of the minors that are caught in legal limbo while their states gradually update legislation (Hinduja & Patchin, 2015).

In addition to the legal ramifications minors may face as a result of participating in revenge porn and sexting, individuals may also experience financial, emotional, professional, and educational fallouts. Victims of revenge porn have reported experiencing harassment, loss of employment, stalking, depression, and in some cases individuals have committed suicide as a result (Williams, 2014). In order to truly understand the impact of revenge porn for victims, one can look to the story of Holly Jacobs. Holly's ex-boyfriend posted her explicit images along with her full name, email address, social media links, and work address to a revenge porn website (Waldman, 2017). Holly eventually became the target of cyber harassment from strangers, and the harassment only worsened after her personal information appeared on a website which arranged sexual encounters (Waldman, 2017). Holly's employer and colleagues were inundated with messages containing her nude images, and upon searching her name on Google, Holly discovered that approximately 90% of the results on the first ten pages featured her private images (Waldman, 2017).

Eventually, Holly changed her name, left her job, and began carrying a stun gun out of fear that she would be physically accosted by one of the many faceless people harassing her online (Williams, 2014). Information about the PhD program Holly was enrolled in also appeared on revenge porn websites, which led to additional harassment (Williams, 2014). It is common for colleges and potential employers to perform name searches on applicants, and unfortunately an individual's chances of being accepted or hired may be jeopardized if inappropriate images are uncovered (Hua, 2012). Holly sought assistance from the police and legal experts in addition to filing several civil suits and submitting copyright infringement takedown request, but they all turned out to be fruitless ventures (Williams, 2014). Despite the numerous hardships Holly experienced, she chose to take a stand against revenge porn by founding EndRevengePorn.org, which supports the anti-revenge porn campaign organized by the Cyber Civil Rights Initiative (Williams, 2014). The trajectory for Holly's life was irrevocably altered by the act of one vindictive individual, and the most disheartening aspect of all is that Holly's story is not unique because thousands of other victims have shared similar experiences (Williams, 2014).

It is important that the distinction between sexting and revenge porn remain clear. Sexting is the practice of exchanging intimate images via mobile devices, and the practice itself is not inherently illegal. Sexting becomes problematic when it involves the dissemination of material that could be classified as child pornography or when it is shared with others without the original sender's consent. While individual states continue to create and refine sexting-centric legislation for minors, it is important that the youth remain both knowledgeable and vigilant so that they may avoid charges which carry with them lifelong indictments. Revenge porn on the

other hand is completely immoral, and in some states the practice is viewed as illegal. Both sexting and revenge porn have the ability to cause irreparable damage to an individual's reputation, livelihood, and overall well-being. There is no justification for displaying explicit images of another person without their consent, and the excuses of impulsivity, immaturity, and ignorance of the law will not suffice.

Theory & Thesis Statement

The act of weaponizing an individual's sexual expression has been both accepted and encouraged in our society to a certain extent. Revenge porn is simply the new and popular medium for those who seek retribution through sexual intimidation. Any individual that participates in the recording, storage, and/or sharing of explicit material runs the risk of becoming a victim of revenge porn, regardless of how careful they are. Conversely, individuals that are unfamiliar with prevailing revenge porn and sexting legislation run the risk of becoming a perpetrator. Human behavior is unpredictable, and a person that you once trusted can easily turn against you without warning. Revenge porn victims are often betrayed by those closest to them, so in addition to the humiliation of knowing their private images are being broadcasted to the masses, victims may also lose confidence in their support systems.

The youth of today are exposed to a greater number of threats simply by virtue of growing up in a time where the internet, social media, and information sharing are so widely accessible. A combination of limited sex education, the effects gender biases in society, a proclivity to blame victims, and inadequate legislation present a threat to minors attempting to find their identity as well as act upon their sexual curiosity. Continuing to endorse the platform of miseducating minors presents not only a danger to the youth, but to society as a whole.

Intentionally keeping minors miseducated on topics that have the potential to directly impact them, simply because adults may be uncomfortable with the thought of children learning about sexual behavior is not noble or just.

This report is not intended as a scathing review of the shortfalls in our society, but rather it presents an opportunity to shed light on issues which often affect minors in unique manner. Revenge porn victimization can befall anyone, but it is the youth who remain one of the most susceptible yet least represented demographics in the revenge porn debate. Involving the young people of today in discussions which impact them can only help to bridge the gap between generations, and eventually generate a national dialogue. Presently, there is no federal legislation which addresses revenge porn, which is why revenge porn legislation varies a great deal from state to state. In the absence of clear legal guidance, we have a moral and ethical duty to educate and prepare the youth of today for the threats they may encounter tomorrow.

Proposed Project

The development and integration of comprehensive sex education curriculum within the field of health education will be a step in the right direction for discouraging minors from participating in risky behaviors. The ramifications for sexting, cyberbullying, and revenge porn are far-reaching, which is why the potential tolls on mental and/or emotional health must be thoroughly explained to minors prior to an incident occurring. Although character education can be effective to a certain extent, it often fails to address the wide range of contemporary issues which minors in today's society are likely to encounter. A revision of training standards and the reformation of current health education course structures will be the most cost-effective and expedient method of curriculum integration.

It must be noted that the revision of current training standards for health education will incur a cost on the front-end, specifically with regards to auxiliary training for educators and administrators. Upon taking into consideration a multitude of factors which include budgetary constraints, possible scheduling conflicts, and the difficulty of reaching geographically dispersed educators, the utilization of an online training format stands out as the premier method of instruction. The creation of an instructive website which features massive open online courses (MOOC) can be employed in lieu of formal in-class training, and the proposed website will be curated to reflect notable legal cases, updated statistics, surveys, and relevant legal statutes as they become available. Additionally, the website will host a Q&A page which will allow educators to engage in informative discussions with students and community members.

Providing educators and administrators with flexible learning options will alleviate a great deal of the pressure associated with the implementation of new curriculum and training standards. Additionally, encouraging the use of open-forum communication in health classes will not only break up the monotony of the current curriculum but will also allow educators to discuss serious issues in a candid manner. Unlike the hard sciences which require students to gain a satisfactory knowledge of specific formulas, concepts, and techniques; the curriculum found in health education is largely left to the discretion of individual instructors. While instructor input is necessary to the success of a course, the lack of uniformity and oversight by school administrators may result in the spread of misinformation and/or the outright omission of important information.

All too often the issues which commonly afflict the youth of today are trivialized or disregarded by older generations. While some may view the majority of issues which affect

minors as inconsequential, they would be remiss to ignore the fact that incidents of cyberbullying, revenge porn, and encouraging peers to commit suicide have been successfully prosecuted in the recent past. It is easy to ignore what we cannot relate to, which is why providing minors with the opportunity to learn about these emerging trends will allow them to become a part of the conversation rather than a topic of discussion. A revitalization of health education curriculum can assist students in drawing connections between a multitude of topics, which include but are not limited to: self-perception, nutrition, body positivity, cyberbullying, sexual violence, depression, etc.

While determining the effectiveness of a revised education model can be difficult, the use of anonymous course evaluation forms may provide program administrators with the constructive criticism necessary to improve the course. Course evaluation forms will be distributed within the first week of instruction, and those forms will feature both fill in the blank and multiple-choice questions aimed at determining each student's basic knowledge of the subject matter. Upon completion of the course, new evaluation forms will be distributed to the students, and those forms will ask that each student describe the effectiveness of instruction, knowledge gained, the pace of the course, possible topics to be included in future courses, etc. Information provided by the evaluation forms will be compiled and reformatted into an in-depth evaluation summary. The evaluation summary will be presented to educators and school administrators at the end of the instruction cycle, at which time the findings will be discussed, proposed changes to the curriculum will be addressed, and the summary will be filed within the school's records system. Ultimately, the evaluation summaries will assist educators and school

administrators in improving their method(s) of instruction and tailoring the subject matter to the needs of the students.

Discussion

Searching for relevant cases of revenge porn and cyberbullying among teen populations in Alaska proved to be a fruitless venture. With that being said, it is important to bear in mind that the lack of local revenge porn cases does not mean this issue is not prevalent in our community, but rather there is a lack of interest in studying the subject matter. In the absence of uniform legislation addressing the issue of minors participating in revenge porn, education may prove to be the most effective method of deterrence. When looking into the methodology of establishing sex education curriculum in public schools throughout the country, it became apparent that creating a course with such a narrow scope would likely receive pushback from parents and members of the community. Rather than focusing on sex education alone, advocating for the revitalization of health education curriculum presents us with an opportunity to introduce and discuss a wide range of topics which uniquely affect the youth population of today. Simply put, comprehensive health education should be viewed as a necessity rather than a luxury.

I have always found it interesting that the discussion of drug and alcohol abuse in schools was more acceptable than the discussion of sex. I distinctly remember attending Drug Abuse and Resistance Education (DARE) assemblies in elementary school, reciting the catchy anti-drug song, and receiving a t-shirt for my attendance. Thinking back to my participation in the DARE assembly at age 10, I struggle to understand why discussions about safe sex are viewed as too advanced for minors while the topic of drug use was deemed acceptable for preteens. DARE is

the most commonly used drug education curriculum in the country, and it has been implemented in nearly 70% of the nation's fifth-grade classrooms (National Association for Public Health Policy, 1999).

In spite of the prevalence of DARE curriculum in schools during the 90s and early 2000s, the program's effectiveness has been highly contested throughout the years. The decision by DARE program administrators to focus solely on the negative effects of drug use coupled with the program's utilization of scare tactics ultimately did little to curb the curiosity of countless young people who went on to try drugs in a recreational manner. I write this to say that if a 10-year-old can be inundated with anti-drug curriculum with little to no pushback from parents and community members, why is it that sex education is still widely perceived as a taboo subject for teens? The common argument that teaching minors about sex education will encourage them to engage in sex is largely absent when discussing drugs. I have yet to hear a parent say: "Don't teach my child about drug use and abuse, because that will make them want to try drugs!" and that is because the argument does not hold water.

School administrators are trusted to ensure that students are able to pursue their education in an environment that is free of fear, harassment, and intimidation. Unfortunately, the scope of influence for school administrators and educators is mostly limited to incidents that occur on school grounds. Staff must walk the fine line between protecting students who are victims of various forms of harassment, while avoiding impeding upon the free speech of others (Beale & Hall, 2007). Maintaining open lines of communication between school administrators, parents, and students is paramount to the success of the proposed comprehensive health education course. Character education begins in the household, which is why parents must engage their children in

candid conversations about appropriate behavior both on and offline. At the end of the day, no one wants students to suffer in silence because they are too embarrassed to bring their problems to parents, school counselors, or teachers.

This program is not a thinly veiled attempt to usurp influence over the behaviors of students from parents/guardians, but rather an opportunity to encourage minors to think critically about the possible life-altering effects of certain actions prior taking part in them. The fallout from acts of revenge porn are a threat to individuals of all ages, and the lessons which can be gleaned from these types of comprehensive health education courses can serve as the catalyst for change in our community. Participating in the comprehensive health education course will be the first step in providing minors with the one thing they have been missing thus far, a voice. The youth of today are in a precarious situation because they are not allowed to give input into the decisions which can directly affect them, and the consequences for their participation in certain activities can be far more severe than the repercussions for adults who commit the same acts.

When it comes to the instruction of comprehensive health education involving topics which are relevant to today's youth, we are in largely unchartered territory. Legislation for a multitude of online practices is relatively new, and constantly changing as technology progresses. As stated previously, while the majority of states have taken a stance against revenge porn, there has yet to be an attempt to enact anti-revenge porn legislation on a federal level. Furthermore, the individual states which have created anti-revenge porn legislation chose to approach the issue from the perspective of adult victims and perpetrators, effectively leaving

minors unrepresented. Minors who participate in revenge porn are not allotted the same protections as their adult counterparts.

Debating whether or not minors participating in revenge porn should incur child pornography charges is not at the heart of this project, and that topic would require far more research and analysis than this project is able to provide. Ultimately, the comprehensive health education course is to serve as an interim solution until the revenge porn legislation in the country becomes consistent. The goal is to provide each and every student with the opportunity to learn about the actions which have the potential to negatively impact them the most, so that they can make educated decisions in the future rather than decisions based on impulse. We need to provide the youth of today a chance to succeed, and that cannot happen if we do not teach them about the actions which can potentially disrupt their lives.

Budget

In order to fund the revision of health education curriculum in schools a multitude of factors must be taken into consideration. The school board administration must first assess the current budget, perform a cost-benefit analysis, and reallocate funds (if available) to facilitate the training of educators. School administrators and individual educators may also seek funding through the process of securing grants from charities and/or non-profit organizations. For example, the New Enterprise Association (NEA) Foundation is a public charity which awards up to $5,000 for "educators to improve public education for all". Education budgets fluctuate each year, and all too often both the students and the educators suffer as a result of the financial constraints of the school district. Bearing that in mind, school administrators and educators must remain diligent in their efforts to secure funding through the process of applying for grants. The

grant application process can be simplified if the school establishes a grant tracker which details deadlines and requirements, as well as identifying strong writers who will take on the task of writing, editing, and submitting paperwork.

Instructor-led training (ILT) is considered to be the most expensive form of training. The expenses associated with the ILT format stem from the cost of housing instructor(s), ensuring course participants have adequate transportation to and from training events, paying employee salaries and day rates (per-diem if travel is required), ensuring training aids and equipment are available, etc. In addition to the exorbitant costs associated with the ILT format, there are also limitations on the number of participants able to attend the training events. Instructors are often encouraged to limit the class sizes to ensure that they have hands-on training with individual participants. In some instances, an instructor may be asked to stay on-site for months at a time to lead several training events.

In order to provide educators and school administrators with flexible training opportunities, the use of massive open online courses (MOOC) stand out as the premier method of instruction for comprehensive health education. The MOOC format is often considered the most cost-effective manner of "training the trainer", but unfortunately it is difficult to find accurate budgeting data. Presently, the best estimate for the MOOC equivalent of a 5-day (40-hour) instructor led course would cost roughly $160,000. Unlike ILT courses, MOOC can be paused and resumed countless times and an individual's progress can easily be monitored by school administrators. After the initial MOOC platform is created, the process of updating the training modules to reflect relevant legal statutes, court cases, and statistics will be far less costly and time-consuming. When taking into consideration the cost of the initial MOOC setup, the

training hours for educators and school administrator, and the publication of informational pamphlets/circulars for students, the estimated startup cost for the revised health education program will be $250,000.

Limitations

Encouraging individuals to participate in the proposed program may prove to be an obstacle in itself. Presently, only 24 states and the District of Columbia require public schools to teach sex education. Additionally, only 20 states mandate that sex and/or HIV education must be medically, factually or technically accurate (National Conference of State Legislators, 2016). The criteria for what constitutes as "accurate" information varies greatly from state to state. Being that this proposed program will focus on the needs of Alaskan minors, we must look to the 2015-2016 Alaska State Legislature to determine considerations relevant to sex education instruction within the state.

Alaska's House Bill (HB) 156 is an act which outlines the rights of parents to "direct the education of a child", particularly in relation to the instruction of sex education, human reproduction education, and suicide awareness/prevention training (National Conference of State Legislators, 2016). Parental approval is paramount to the implementation of the proposed project, and without it the program will not take off. While Alaska is one of the 24 states which requires public schools to teach sex education, it has not put forth laws which require medical accuracy in the curriculum. In addition to the potential obstacles posed by community and parental pushback, students may be hesitant to participate in surveys and studies which ask them to detail their personal actions. Self-incrimination is a legitimate concern for many, particularly in a time where child exploitation laws often fail to make the distinction between sexting and the

dissemination of child pornography. The fear of self-incrimination may discourage individuals from participating in studies related to minors engaging in sexual activity, contraceptive use, revenge pornography, and sexting.

At the crux of the literature review for this proposed program is the assertion that abstinence-only sex education is insufficient. For all intents and purposes, it can be argued that both abstinence-only education and current standard of comprehensive sex education fail to present students with adequate information for a multitude of topics which can directly impact them. Studies and publications from well-known abstinence-only organizations and advocates were not sought after during the research phase of this project, which some may view as an attempt to undermine the mission of groups such as Focus on the Family and the Heritage Foundation. While both of the aforementioned organizations have published articles touting the successes of abstinence-only instruction, those publications are rarely if ever substantiated by third-party researchers. Suffice to say, the decision to forgo citing rhetoric from organizations with clearly identifiable biases was intentional.

In 2010, National Public Radio (NPR) published an article which described the successes of abstinence-only trial for 662 African-American students in the sixth and seventh grade. The trial for the African-American students occurred during a 24-month period, and the findings of the study demonstrated a marked decreased in the rates of sexual activity among that racial group when compared to the national average (Jemmott, Jemmott, & Fong, 2010). Bearing that in mind, this study was not selected in the literature review because the number of publications detailing racial inequalities in the education system, as well as the inaccessibility of comprehensive sex education instruction to minority students far outweigh the findings of a

single study which has not been repeated in the past decade. The purpose of the study and the methodology must be called into question when one racial group is singled out in order to prove the efficacy of abstinence-only sex education.

The literature review for this proposed program was not intended as the end-all be-all for research on this topic. In the future, the literature review can be expanded to include findings which support the practice of abstinence-only sex education. The inclusion of publications which support abstinence-only education will of course be contingent upon the methodology, repeatability, and legitimacy of the study.

Recommended Future Research

For future researchers interested in studying revenge porn, sexting legislation for minors, or sex education instruction in general, there are an abundance of related topics which deserve further exploration. One of the more common links that I stumbled across while researching was a connection between race and access to education. It is not difficult to believe that racial inequalities have manifested in the education system, particularly when there are articles being published in 2019 detailing the inability of minority students to gain access to elite schools. Socio-economic factors can impact every facet of life, and while researching I discovered numerous journal entries which alluded to an organized effort by abstinence-only organizations to forgo providing minority and/or low-income students with sex education.

If there is an organized effort to preclude certain groups from participating in abstinence-only education based on race, religion, or financial class, etc., it is unknown to me. With that being said, the possible connection between socioeconomic factors and the access to education is most certainly an interesting field of study for future research. One of the

arguments that can be made for the idea of an elitist approach to targeting individuals for participation in abstinence-only education is the insistence on representing one's purity by wearing jewelry. Rings and pearl necklaces often serve as a visual representation of an individual's purity pledge, but fine jewelry is also a status symbol which many students and their families do not have the luxury to afford.

Being that Alaska is the focus of this proposed project, an examination of the current study materials used in health education courses across the state would provide the researcher with an in-depth understanding of what students are learning. Although Alaska does not legally require the accuracy of information related to sex education and human reproduction education, a future researcher could compare the materials being used in Alaskan public schools to the findings of national studies and surveys. Additionally, noting the sources of instructional materials, the dates of publication, and the updates (if applicable) to the course curriculum could assist the researcher in pinpointing deficiencies in health education instruction throughout the state. For researchers interested in comparing the quality of sex education curriculum in more than one state, it could be beneficial to examine course materials from several public schools to ensure that the states which have a legal requirement to present medically accurate information are in accordance with their regulations.

Conclusion

My interest in revenge porn legislation was piqued by a conversation with one of my closest friends during my undergraduate years. Before I delve into this anecdote, I would first like to describe my friend in order to paint a more complete picture for the reader. My friend is almost two years older than me, she comes from an established family, she is smart, she is

athletic, she is outgoing, and I truly admire her determination and genuine spirit. I view my friend in the same light as my older sister, and I care about her immensely.

While driving around the outskirts of Fairbanks one day, my friend decided to confide in me about her three-year relationship with a man she met during her time at the University of Alaska Fairbanks. My friend described a tumultuous affair, which was rife with infidelity on his part as well as emotional manipulation. After my friend ended the relationship, her ex-boyfriend did what many revenge porn perpetrators do by threatening to post her explicit images online if she did not take him back. Despite the fact that she had forgiven him for past discretions countless times before, my friend was steadfast in her decision to ignore his attempts at blackmail and move on with her life. Unfortunately, the ex-boyfriend was committed to following through on his promise to post her private images on Reddit.

I can honestly say that prior to this conversation, I never personally known anyone that was affected by an act of revenge porn. I can remember hearing rumors about my high school classmates being recorded without their permission as well as explicit videos and images being circulated through text messaging groups, but I never paid attention to any of it. I was blissfully unaware of the type of nefarious acts that were taking place around me, which is why my friend's story left me feeling unsettled. Prior to hearing about a situation that so hit close to home, I was dismissive of other victims and I generally fell into the habit of blaming victims. To lighten the mood after sharing her story, my friend remarked: "I guess I can never run for public office", and that statement completely changed my perspective on the issue. No one deserves to be humiliated or vilified because they entrusted their private images with the wrong person.

It is easy to point fingers and assign blame to the individuals who take explicit photographs of themselves and send them to others. However, I would argue that taking a moment to look deeper into the situation may reveal underlying factors which will show these cases are not as black and white as most people choose to believe. Although I have never experienced a situation like my friend's, I can still empathize with her reasoning. My friend cared deeply about someone who turned out to be manipulative, controlling, and selfish, yet she still trusted him. After reading about the experiences of numerous revenge porn victims, I came to the realization that my friend's story is not unique. The consequences of misplacing trust in one individual should not bring with it a lifetime of mental anguish, online harassment, and questions of self-worth.

When I first began researching revenge porn legislation in Alaska, I wanted to focus on adults participating in the practice because I was more familiar with that topic. However, the more I looked into the topic of revenge porn on the national level it became exceedingly difficult to for me to ignore the inconsistencies in legal ramifications for minors. I was surprised by the severity of punishments that could be levied against minors, particularly for those who are charged with child pornography possession and carry with them the lifelong stigma of being labeled a sex offender. I am not advocating for a specific punishment for these types of crimes, but rather an earnest effort to educate minors with the hope of deterring possible would-be perpetrators.

When reflecting on my friend's revenge porn incident, I asked myself: "When would have been the best time to learn about these practices?" and "In what environment would candid conversations about relationships and sex be appropriate?" For each of those questions, health

education stood out as the obvious choice. A multitude of topics can be covered in health education, students are either required or encouraged to take the course (depending on the state), and there is a level of maturity expected when covering certain subjects discussed in the lesson plan. Additionally, health education curriculum is not as stringent as the hard sciences, which is why participation and understanding can be emphasized over mastery.

My experience as a fourteen-year old going through health education class was lackluster to say the least. I can attribute my disinterest in the subject matter to my instructor's uninspired approach to teaching, the dated lesson plans, and life in general. I failed to see anything of interest in discussions about the miracle of childbirth and/or career-ending sports injuries, because those life-changing events were not relevant to my situation. Education as a means of deterrence is not a new concept by any stretch of the imagination, and in fact, this method of instruction has been a guiding principle in the upbringing of countless individuals. As a society, we cannot continue to discount the voices of minors, particularly in situations where their participation in certain activities can negatively impact them to such a profound degree. The time to educate minors about the potential impacts of revenge porn is now, and not after an incident takes place.

References

Alter, C. (2017). The new scarlet letter. *Time*, *190*(2/3), 60-65. Retrieved from http://time.com/4811561/revenge-porn/

Beale, A., & Hall, K. (2007). Cyberbullying: What school administrators (and parents) can do. *The Clearing House, 81*(1), 8-12. Retrieved from http://www.jstor.org/stable/30189945

Comartin, E., Kernsmith, P., & Kernsmith, R. (2014). Identifying appropriate sanctions for youth sexual behavior: The impact of age, gender, and sexual orientation. *New Criminal Law Review: An International and Interdisciplinary Journal, 17*(4), 652-672. doi:10.1525/nclr.2014.17.4.652

Doan, A., & McFarlane, D. (2012). Saying no to abstinence-only education: An analysis of state decision-making. *Publius*, *42*(4), 613-635. Retrieved from http://www.jstor.org/stable/41682905

Dobson, A. S., & Ringrose, J. (2016). Sext education: Pedagogies of sex, gender and shame in the schoolyards of Tagged and Exposed. *Sex Education*, *16*(1), 8-21. doi:10.1080/14681811.2015.1050486

Englander, E. K. (2016). 50.0 Sexting, revenge pornography, and digital dating abuse: New research on adolescent digital behaviors. *Journal of The American Academy Of Child & Adolescent Psychiatry*, 55S338. doi:10.1016/j.jaac.2016.07.415

Fairbairn, J. (2015). Rape threats and revenge porn: Defining sexual violence in the digital age. In Bailey J. & Steeves V. (Eds.), *EGirls, eCitizens: Putting Technology, Theory and*

Policy into Dialogue with Girls' and Young Women's Voices (pp. 229-252). University of Ottawa Press. Retrieved from http://www.jstor.org/stable/j.ctt15nmj7f.13

Franklin, Z. (2014). Justice for revenge porn victims: Legal theories to overcome claims of civil immunity by operators of revenge porn websites. *California Law Review*, *102*(5), 1303-1335. Retrieved from http://www.jstor.org/stable/24758167

Gardner, C. (2011). From abstinence to purity: The changing tropes of chastity. *In Making Chastity Sexy: The Rhetoric of Evangelical Abstinence Campaigns* (pp. 22-40). Berkeley; Los Angeles; London: University of California Press. Retrieved from http://www.jstor.org/stable/10.1525/j.ctt1ppqsn.5

Hasinoff, A. (2015). The criminalization consensus and the right to sext. In *Sexting Panic: Rethinking Criminalization, Privacy, and Consent* (pp. 25-48). University of Illinois Press. Retrieved from http://www.jstor.org/stable/10.5406/j.ctt13x1kx6.6

Hinduja, S. & Patchin, J. (2015). State sexting laws: A brief review of state sexting and revenge porn laws and policies. *Cyberbullying Research Center*. Retrieved from https://cyberbullying.org/state-sexting-laws

Hua, L. L. (2012). Sexting and social media in today's adolescent: Peer norms, problems, and provider responsibility. *Brown University Child & Adolescent Behavior Letter, 28*(4), 1-6. Retrieved from https://onlinelibrary.wiley.com/doi/pdf/10.1002/cbl.20161

Jemmott, J. B., Jemmott, L. S., & Fong, G. T. (2010). Efficacy of a theory-based abstinence-only intervention over 24 months: a randomized controlled trial with young adolescents. Archives of pediatrics & adolescent medicine, 164(2), 152-9.

Kamal, M., & Newman, W. J. (2016). Revenge pornography: Mental health implications and related legislation. *The Journal of The American Academy of Psychiatry and The Law, 44*(3), 359-367. Retrieved from http://jaapl.org/content/44/3/359

Lenhart, A. (2009). Teens and sexting. *Pew Internet & American Life Project*. Retrieved from http://www.pewinternet.org/Reports/2009/Teens-and-Sexting.aspx

National Association for Public Health Policy. (1999). A Public Health Approach to Mitigating the Negative Consequences of Illicit Drug Abuse. *Journal of Public Health Policy, 20*(3), 268-281. doi:10.2307/3343401

National Conference of State Legislators. (2016). Sex policies on sex education in schools. Retrieved from http://www.ncsl.org/research/health/state-policies-on-sex-education-in-schools.aspx

Osterday, M. (2016). Protecting minors from themselves: Expanding revenge porn laws to protect the most vulnerable. *Indiana Law Review, 49*(2), 555-577. Retrieved from https://mckinneylaw.iu.edu/ilr/pdf/vol49p555.pdf

Pollack, J. M. (2016). Getting even: Empowering victims of revenge porn with a civil cause of action. *Albany Law Review*, *80*(1), 353-380.

Shariff, S., & DeMartini, A. (2015). Defining the legal lines: EGirls and intimate images. In Bailey J. & Steeves V. (Eds.), *EGirls, eCitizens: Putting Technology, Theory and Policy*

into Dialogue with Girls' and Young Women's Voices (pp. 281-306). University of Ottawa Press. Retrieved from http://www.jstor.org/stable/j.ctt15nmj7f.15

Strasburger, V. & Brown, S. (2014). Sex education in the 21st century. *Journal of the American Medical Association*, *69*(11), 663-664. doi: 10.1097/01.ogx.0000458795.60509.e1

Thiel-Stern, S. (2014). Policing teen girls online, 2004–2010. In *From the Dance Hall to Facebook: Teen Girls, Mass Media, and Moral Panic in the United States*, 19052010 (pp. 145-172). Amherst; Boston: University of Massachusetts Press. Retrieved from http://www.jstor.org/stable/j.ctt5vk728.9

Thomas, A., & Cauffman, E. (2014). Youth sexting as child pornography? Developmental science supports less harsh sanctions for juvenile sexters. *New Criminal Law Review: An International and Interdisciplinary Journal, 17*(4), 631-651. doi:10.1525/nclr.2014.17.4.631

Waldman, A. E. (2017). A breach of trust: Fighting nonconsensual pornography. *Iowa Law Review, 102*(2), 709-733.

Walsh, W., Wells, M., & Wolak, J. (2016). Challenges in investigations and prosecutions of child pornography crimes. In Hessick C. (Ed.), *Refining Child Pornography Law: Crime, Language, and Social Consequences* (pp. 215-234). Ann Arbor: University of Michigan Press. Retrieved from http://www.jstor.org/stable/j.ctt1gk08jr.12

Williams, L. (2014). California's anti-revenge porn legislation: Good intentions, unconstitutional result. *California Legal History*, 9297-338.

Appendix A

State Sexting Laws

A Brief Review of State Sexting and Revenge Porn Laws and Policies

Sameer Hinduja, Ph.D. and Justin W. Patchin, Ph.D.

July 2015
Created: February 2013

	"Sexting" law	Includes "Sexting"	Addresses under 18 sending	Addresses under 18 receiving	Penalty: Diversion	Penalty: Informal	Penalty: Misdem	Penalty: Felony	Revenge Porn Law	Other information
Alabama	NO							X		
Alaska	NO						X		X	
Arizona	YES		X	X			X		X	Includes explicit text
Arkansas	YES	X	X	X		X			X	8 hrs comm service
California	NO								X	
Colorado	NO								X	
Connecticut	YES	X	X	X			X			
Delaware	NO								X	
Florida	YES	X	X	X	X	X	X	X	X	
Georgia	YES		X	X			X	X	X	
Hawaii	YES		X	X			X		X	
Idaho	NO								X	
Illinois	YES		X		X	X			X	
Indiana	NO									
Iowa	NO									
Kansas	NO									
Kentucky	NO									
Louisiana	YES	X	X	X	X	X			X	
Maine	NO									
Maryland	NO								X	
Massachusetts	NO									
Michigan	NO									
Minnesota	NO									
Mississippi	NO									
Missouri	NO									
Montana	NO									
Nebraska	YES		X	X				X		
Nevada	YES		X	X	X	X	X		X	
New Hampshire	NO									
New Jersey	YES	X	X	X	X	X			X	
New Mexico	NO								X	
New York	YES		X	X	X	X			X	
North Carolina	NO									
North Dakota	YES		X	X			X		X	
Ohio	NO									
Oklahoma	NO									
Oregon	NO								X	
Pennsylvania	YES		X	X	X	X	X		X	
Rhode Island	YES	X	X		X	X				
South Carolina	NO									
South Dakota	YES	X	X	X			X			
Tennessee	NO									
Texas	YES		X	X	X	X	X		X	
Utah	YES		X	X			X	X	X	
Vermont	YES	X	X	X	X				X	
Virginia	NO								X	
Washington	NO								X	
West Virginia	YES	X	X	X	X					Educ diversion prog.
Wisconsin	NO								X	
Wyoming	NO									
STATE TOTALS	20	9	20	18	11	10	11	4	26	
FEDERAL	NO									
Washington DC	NO									

Notes: "Includes sexting" – includes "sexting" in the statute; "Addresses under 18 sending or receiving" – includes provisions if minors have sent or received sexually explicit images of other minors; "Diversion" – includes an option to pursue the case outside of the criminal/juvenile justice system; "Informal" – allows for/prescribes counseling or another informal sanction; "Misdem" – potential for a misdemeanor punishment; "Felony" – potential for a felony punishment. All states have some variation of a law that prohibits sending explicit or obscene material to—or depicting—minors that might apply (child pornography).

Please let us know if you are aware of any updates not included in this summary.

Cyberbullying Research Center www.cyberbullying.us